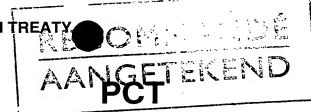
# TENT COOPERATION TREATY

JUN 1 9 2001

From the INTERNATIONAL SEARCHING AUTHORITY

To:



INCYTE GENOMICS, INC. Attn. HAMLET-COX, D. 3160 Porter Drive Palo Alto, CA 94304 UNITED STATES OF AMERICA	NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION (PCT Rule 44.1)
	Date of mailing (day/month/year) 15/11/2006
Applicant's or agent's file reference PT-1087 PCT	FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No. PCT/US 00/ 25610	International filing date (day/month/year) 19/09/2000
Applicant INCYTE GENOMICS, INC.	
applicant's request to forward the texts of both the pro no decision has been made yet on the protest; the applicant action(s):  The applicant is reminded of the following:  Shortly after 18 months from the priority date, the international all the applicant wishes to avoid or postpone publication, a notice priority claim, must reach the International Bureau as provided completion of the technical preparations for international publications.	ally 2 months from the date of transmittal of the stails, see the notes on the accompanying sheet.  Impanying sheet.  In Report will be established and that the declaration under small fee(s) under Rule 40.2, the applicant is notified that:  In transmitted to the International Bureau together with the test and the decision thereon to the designated Offices.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.  In the polication will be published by the International Bureau.
Within 19 months from the priority date, a demand for internation wishes to postpone the entry into the national phase until 30 mc Within 20 months from the priority date, the applicant must perform before all designated Offices which have not been elected in the priority date or could not be elected because they are not bound.	onths from the priority date (in some Offices even Jafer).  In the prescribed acts for entry into the national phase be demand or in a later election within 19 propuls from the
Name and mailing address of the International Searching Authority	Authorized officer

European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016

Joannes Vergoosen

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged:
- (ii) the claim is cancelled;
- (iii) the claim is new:
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

# The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

- [Where originally there were 48 claims and after amendment of some claims there are 51]:
   "Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers;
   claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
- [Where originally there were 15 claims and after amendment of all claims there are 11]: "Claims 1 to 15 replaced by amended claims 1 to 11."
- [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
  - "Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or "Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
- 4. [Where various kinds of amendments are made]: "Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

#### "Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

#### It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

## Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

# **INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19**

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

# Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

## What documents must/may accompany the amendments?

### Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

# **INTERNATIONAL SEARCH REPORT**

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.		
PT-1087 PCT	ACTION		
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)	
PCT/US 00/25610	19/09/2000	28/09/1999	
Applicant		<u> </u>	
	·		
INCYTE GENOMICS, INC.			
according to Article 18. A copy is being tr		ority and is transmitted to the applicant	
This International Search Report consists  X  It is also accompanied by	s of a total ofbsheets.  y a copy of each prior art document cited in this	report.	
Basis of the report			
<ul> <li>a. With regard to the language, the language in which it was filed, un</li> </ul>	international search was carried out on the bas less otherwise indicated under this item.	is of the international application in the	
the international search v Authority (Rule 23.1(b)).	was carried out on the basis of a translation of th	ne international application furnished to this	
b. With regard to any nucleotide as was carried out on the basis of the		ternational application, the international search	
CTC	onal application in written form.		
X filed together with the inte	ernational application in computer readable form	٦.	
furnished subsequently to	o this Authority in written form.		
furnished subsequently t	o this Authority in computer readble form.		
the statement that the su international application a	bsequently furnished written sequence listing d as filed has been furnished.	pes not go beyond the disclosure in the	
the statement that the inf furnished	ormation recorded in computer readable form is	identical to the written sequence listing has been	
2. X Certain claims were for	ınd unsearchable (See Box I).		
3. X Unity of invention is lac	king (see Box II).		
4. With regard to the title,			
	ubmitted by the applicant.		
The text has been established	shed by this Authority to read as follows:		
HUMAN SECRETORY MOLEC	ULES		
5. With regard to the abstract,			
TTT.	ubmitted by the applicant.		
the text has been established	shed, according to Rule 38.2(b), by this Authorit e date of mailing of this international search rep	y as it appears in Box III. The applicant may, ort, submit comments to this Authority.	
6. The figure of the <b>drawings</b> to be pub	lished with the abstract is Figure No. $_{\sim}$		
as suggested by the appl	icant.	X None of the figures.	
because the applicant fai	led to suggest a figure.		
because this figure better	r characterizes the invention.		



ational application No. PCT/US 00/25610

Box i	Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)
This Inte	ernational Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:
1.	Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
2.	Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
з. 🗌	Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).
Box II	Observations where unity of invention is lacking (Continuation of item 2 of first sheet)
This Inte	rnational Searching Authority found multiple inventions in this international application, as follows:
1.	As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2.	As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.	As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. X	No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:  Claims 1-19 (all partially)
Remark	on Protest  The additional search fees were accompanied by the applicant's protest.  No protest accompanied the payment of additional search fees.

# FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

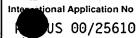
Claims: Invention 1, claims 1-19 (all partially)

An isolated polynucleotide selected from the group consisting of a polynucleotide consisting of, or comprising the polynucleotide sequence of SEQ ID NO:1, homologs and variants, complementary polynucleotides, fragments and RNA equivalents of said polynucleotide. A composition for the detection of the expression of secretory polynucleotides comprising a polynucleotide as said, and methods of detecting said polynucleotide. A recombinant polynucleotide comprising a polynucleotide as said, operably linked to a promoter sequence, a cell and a transgenic organism comprising said recombinant polynucleotide, and a method for producing a secretory polypeptide by expressing said recombinant polynucleotide. A purified secretory polypeptide encoded by a polynucleotide comprising the polynucleotide sequence of SEQ ID NO:1, and an antibody binding to said polypeptide. A method of identifying a test compound which binds to said polypeptide. A microarray comprising a polynucleotide comprising at least 60 contiguous nucleotides of a polynucleotide as said, and a method for generating a transcript image using said microarray. A method for screening a compound for effectiveness in altering expression of a polynucleotide as said, and a method for assessing toxicity of a test compound using a probe comprising at least 20 contiguous nucleotide of a polynucleotide as said.

2. Claims: Inventions 2-63, claims 1-19 (all partially)

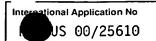
As invention 1, but concerning SEO ID NOs 2-63, respectively.

## INTE. ATIONAL SEARCH REPORT



CLASSIFICATION OF SUBJECT MATTER
PC 7 C12N15/12 C07K14/705 C12Q1/68 G01N33/50 A01K67/027 According to International Patent Classification (IPC) or to both national classification and IPC **B. FIELDS SEARCHED** Minimum documentation searched (classification system followed by classification symbols) C12N C07K C12Q G01N A01K IPC 7 Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) C. DOCUMENTS CONSIDERED TO BE RELEVANT Citation of document, with indication, where appropriate, of the relevant passages Relevant to claim No. DATABASE EM\_EST [Online] Χ 1-19 **EMBL** ID HSA29735, AC AA029735, 20 August 1996 (1996-08-20) HILLIER L ET AL.: "ze95c03.r1 Soares fetal heart NbHH19W Homo sapiens cDNA cTone IMAGE:366724 5', mRNA sequence." XP002162283 Note: 97.3 % nt sequence identity with SEQ ID NO:1 in 669 nt overlap. the whole document Patent family members are listed in annex. Further documents are listed in the continuation of box C. X ° Special categories of cited documents: "T" later document published after the international filing date or priority date and not in conflict with the application but "A" document defining the general state of the art which is not considered to be of particular relevance cited to understand the principle or theory underlying the invention "E" earlier document but published on or after the international "X" document of particular relevance; the claimed invention filing date cannot be considered novel or cannot be considered to document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such docu-"O" document referring to an oral disclosure, use, exhibition or ments, such combination being obvious to a person skilled other means document published prior to the international filing date but later than the priority date claimed "&" document member of the same patent family Date of the actual completion of the international search Date of mailing of the international search report 8 March 2001 1 5.06.01 Name and mailing address of the ISA Authorized officer European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, van de Kamp, M Fax: (+31-70) 340-3016

# INTE. .ATIONAL SEARCH REPORT



C (Continuation) DOCUMENTS CONSIDERED TO BE DELEVANT		03 00/23010	
C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT  Category Citation of document, with indication, where appropriate, of the relevant passages		Relevant to claim No.	
X	DATABASE EM_EST [Online]  EMBL  ID AW009420, AC AW009420,  13 September 1999 (1999-09-13)  STRAUSBERG R: "ws82d11.x1 NCI_CGAP_Co3  Homo sapiens cDNA clone IMAGE:2504469 3',  mRNA sequence."  XP002162284  Note: 99.6 % nt sequence identity with SEQ  ID NO:1 in 547 nt overlap.  the whole document	1-19	
Α	WO 99 03990 A (FLORENCE KIMBERLY A ;HUMAN GENOME SCIENCES INC (US); FENG PING (US) 28 January 1999 (1999-01-28) page 2, line 1-8 claims 1-23	1-19	
Α	WO 99 18204 A (KATO SEISHI ;PROTEGENE INC (JP); SEKINE SHINGO (JP); SAGAMI CHEM R) 15 April 1999 (1999-04-15) page 3, line 1-17 claims 1-6	1-19	
Α	WO 99 31236 A (BOUGUELERET LYDIE ;GENSET SA (FR); DUCLERT AYMERIC (FR); DUMAS MIL) 24 June 1999 (1999-06-24) page 3, line 23 -page 10, line 15 claims 1-20	1-19	

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# INTL IATIONAL SEARCH REPORT

n on patent family members

US 00/25610

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9903990 A	28-01-1999	AU 8404598 A EP 1027430 A AU 8571198 A EP 1012260 A WO 9903982 A	10-02-1999 16-08-2000 10-02-1999 28-06-2000 28-01-1999
WO 9918204 A	15-04-1999	AU 9283398 A EP 1040188 A	27-04-1999 04-10-2000
WO 9931236 A	24-06-1999	AU 1049199 A AU 1503099 A EP 1029045 A EP 1037977 A WO 9925825 A AU 2294499 A EP 1053318 A WO 9940189 A	07-06-1999 05-07-1999 23-08-2000 27-09-2000 27-05-1999 23-08-1999 22-11-2000 12-08-1999